

CITY OF SOUTH AMBOY
PLANNING BOARD
MINUTES/REGULAR MEETING
FEBRUARY 26, 2014

Members present: Mickey Wilday, James Riehl, Mayor Henry, Councilwoman Noble, Thomas Kelly, Frank Milatta, Richard Moran, Francis Mulvey, Peggy Scarillo, Bette Leibowitz, Darcy McCabe-Brew, Robert Paulukiewicz

Also present: Angelo Valetutto, Planner; Andrew Brewer, Esq.

Meeting was called to order followed by the salute to the Flag.

Chairman Wilday stated adequate notice of this meeting has been provided under "The Open Public Meeting Act of New Jersey" by advertisement.

Roll call was taken at this time.

Motion by Richard Moran, seconded by Peggy Scarillo to adopt the Minutes from the November, 2013 meeting. 5-0, 4 abstentions.

Completeness Committee

Completeness Committee Chairman Richard Moran stated there are no new applications currently before the Board.

Willwood Builders, Inc. - Application #340-13

(See attached transcript)

David Yung - Application #341-13

Mrs. Iwona Yung, 365 Fifth Street, South Amboy, NJ was sworn in. Mrs. Yung stated her husband is away on business and she will represent him this evening. Mrs. Yung stated they have submitted an application for an in-ground swimming pool. Mr. Valetutto stated his office prepared a report dated December 5, 2013 that should be made part of the record. Mr. Valetutto stated there was an approval on this property back on December 7th, 2005 in terms of the approval to create the addition and everything that is on the property.

Mr. Valetutto reviewed his report. Mrs. Yung stated their above ground pool that was destroyed so they decided to build something stronger on the same spot. Mr. Valetutto stated an updated survey is important because when they go to get the permit for the pool, the survey will need to be viewed by the Code Official, City Engineer and the Zoning Officer because it has to be set at a proper grade. Mr. Valetutto stated the photograph taken by the Board's Chairman shows that the property does slope off and we need to make sure when the pool is put in, it's put in at an elevation that does not create any problems on their property or any of their neighbors' properties.

Mr. Valetutto explained the steps that are necessary if the application is approved.

Mrs. Yung stated the deck around the above ground pool has been removed. The deck on the back of the house will remain. The pool will be a one-piece drop-in type of construction.

Mrs. Yung stated when the above ground pool broke, the walls broke and they slowly drained the pool.

Chairman Wilday opened the application to the public. There was no public wishing to speak. Motion by Peggy Scarillo, seconded by Richard Moran to close the public portion of this application. Motion carried 9-0.

Motion by James Riehl, seconded by Peggy Scarillo to approve the application based on Angelo's report and construction office review. Motion carried 9-0.

Resolution - 28 Fulton Realty, LLC – Application #338-13

Motion by Peggy Scarillo, seconded by Richard Moran to accept the resolution. Motion carried 5-0, 4 abstentions.

Resolution – 2014 Meeting Dates

Motion by Richard Moran, seconded by Peggy Scarillo to accept the resolution. Motion carried 9-0.

Lenahan Properties, LLC – Borough of Sayreville

Mr. Valetutto stated there was an application that was approved in the Borough of Sayreville for property located at the intersection of Conlogue Avenue and Route 9 Northbound. The major portion of the property where the structure is located and the access to the highway is located within Sayreville. However, there is a portion of the property that is within the City of South Amboy. There had been a driveway cut for vehicles to come in and out within the City of South Amboy. This approval is contingent on South Amboy looking at what was approved, determining if we want to take jurisdiction and have them come in and make a presentation or

the Board taking a look at it, indicate that based on our observation, we either have no comment or the only comment, if we decide not to have them come in, is that all curb and sidewalk within the City of South Amboy's frontage be removed and replaced in accordance to our City standards. Chairman Wilday stated he is not within the 200 feet of this application but he does live in the area and he will abstain from this matter.

Mr. Valetutto stated he feels what they are doing is eliminating their contact within the South Amboy, he does not believe it is required for them to come in and testify that they are eliminating curb cuts and removing and putting in curbs and sidewalks. He feels the only comment to protect our citizens is that all curbs and sidewalks along Conlogue be removed, repaired and replaced as required to meet City standards. This would eliminate any ingress and egress from the City and put it all on Route 9.

Mr. Riehl stated we should request that all sidewalks and curbs within the City limits be removed and replaced. Mr. Valetutto stated this can be done by resolution.

Chairman Wilday stated the Board will take a 5 minute recess.

Chairman Wilday called the meeting back to order at 8 p.m. followed by a roll call.

Resolution - Appointment of Board Attorney

Motion by Peggy Scarillo, seconded by Richard Moran to accept the resolution appointing Maraziti, Falcon and Healey as the Board's Attorney. Motion carried 9-0.

Resolution - Appointment of Board Planner

Motion by James Riehl, seconded by Peggy Scarillo to accept the resolution appointing AJV Engineering as the Board's Engineer. Motion carried 9-0.

Informal Hearing - 255 Catherine Street

Susan O'Leary introduced herself to the Board. John T. O'Leary stated he will be speaking on behalf of Susan. Mr. O'Leary stated this was a plan that was approved in 2005 and the owner of the property has tried over the years to sell the piece with the approved use which is commercial on the ground floor and three residential above. They had no success. Mr. O'Leary stated they are here today for an Informal Hearing to not change anything of the foot print, parking layout, landscaping, etc., but they would like to change the use from three residential and two commercial to eight residential units. Mr. O'Leary stated there is enough parking on the site, there are 16 parking spaces, 8 in the front and 8 in the rear of the property. There is also room for the garbage containers to be screened in the rear of the property. The architectural that were approved are very close to what they would propose, the bottom floor

would have more of a residential look. They would agree to review by the architectural review committee on the plans. The eight units will be all two-bedroom units.

Mr. Valetutto stated his biggest concerns is that there will be off-street parking and that there will be an area for trash containers to be hidden from the public's view and Mr. O'Leary's testified that he can accomplish these requests.

Chairman Wilday stated once they appear before the Board, there could be questioning regarding possible contamination. Mr. O'Leary stated they have a No Further Action Letter from the DEP. The building will be on a slab, most of the site will be covered by building, parking lot or driveways.

Mr. O'Leary stated they will return with a formal application.

Chairman Wilday opened the meeting to the public. Motion by Peggy Scarillo, seconded Richard Moran by to close the public portion. Motion carried 9-0.

Motion by Peggy Scarillo, seconded by James Riehl to adjourn. All in favor.

Linda Garnett